

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAFITTE,

Plaintiff,

Case No. [21-mc-80266-RS](#)**ORDER ADOPTING REPORT AND
RECOMMENDATION**

On November 12, 2021, Jeremy Lafitte filed a “Petition in Rem” in this miscellaneous matter. Dkt. 1. On November 16, 2021, Lafitte filed an “Emergency Motion for Issuance of a Warrant in Rem” in association with his initial petition. Dkt. 2. Both documents state that the petition “is brought under the general maritime law.” The magistrate judge reviewing the filings construed them as a pro se civil complaint, and in a screening order pursuant to 28 U.S.C. § 1915(e) determined that Lafitte failed to state a claim upon which relief can be granted because he had not shown that this Court has subject matter jurisdiction. Dkt. 3. The magistrate judge also wrote that neither document filed by Lafitte described any facts placing maritime law at issue in the case. *Id.* Although the magistrate judge allowed Lafitte to file an amended complaint, Lafitte failed to do so, and instead filed a list of objections to the screening order, but these objections did not provide any facts or legal arguments supporting a basis for federal subject matter jurisdiction. Dkt. 5. Following receipt of these objections, the magistrate judge issued a Report and Recommendation that the case be dismissed with prejudice pursuant to 28 U.S.C § 1915(e), as

1 Lafitte had failed to establish federal subject matter jurisdiction. Dkt. 6.

2 Lafitte filed a reply objecting to the Report and Recommendation, Dkt. 8, but did not
3 include in this reply any facts that would establish federal subject matter jurisdiction, nor facts to
4 establish that this case arises under maritime law. The recommendation to dismiss with prejudice
5 is adopted. For the reasons set out in the report, Plaintiff has failed to state a claim upon which
6 relief can be granted. This action is hereby dismissed with prejudice.

7
8 **IT IS SO ORDERED.**

9
10 Dated: December 16, 2021



RICHARD SEEBORG
Chief United States District Judge

United States District Court
Northern District of California